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PTO/SB/21 (08-00)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	08/349,177
Filing Date	December 2, 1994
First Named Inventor	Howard M. GREY
Group Art Unit	1644
Examiner Name	Ron Schwadron
Attorney Docket No.	399632000623

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Total Number Of Pages In This Submission 12

## ENCLOSURES (check all that apply)

- |   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form                            | <input type="checkbox"/> Assignment Papers (for an Application)                         | <input type="checkbox"/> After Allowance Communication to Group                                 |
| <input type="checkbox"/> Fee Attached   | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences             |
| <input type="checkbox"/> Amendment / Reply  | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)      |
| <input type="checkbox"/> After Final  | <input type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declarations                                    | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                                  | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return postcard |
| <input type="checkbox"/> Express Abandonment Request                                | <input type="checkbox"/> Terminal Disclaimer  |   |
| <input checked="" type="checkbox"/> Information Disclosure Statement; PTO form 1449 | <input type="checkbox"/> Request for Refund   |   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                     | <input type="checkbox"/> CD, Number of CD(s) _____                                      |   |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application          |   |   |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53        |   |   |

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Bruce D. Grant Registration No. 47,608
Signature	
Date	July 3, 2002

## CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

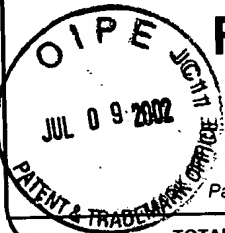
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Jose Luna

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# FEE TRANSMITTAL FOR FY 2002



Patent fees are subject to annual revision.

## Complete if Known

Application Number 08/349,177  
Filing Date December 2, 1994  
First Named Inventor Howard M. GREY  
Examiner Name Ron Schwadron  
Group Art Unit 1644  
Attorney Docket No. 399632000623

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TOTAL AMOUNT OF PAYMENT

(\$180.00)

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 03-1952  
Deposit Account Name Morrison & Foerster LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$0.00)

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
* -20** =	*	x	= \$
Independent Claims -3** =	*	x	= \$
Multiple Dependent			= \$

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claims, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$0.00)

\*\* or number previously paid, if greater; For reissues, see above.

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	180.00
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$180.00)

## SUBMITTED BY

Name (Print/Type) Bruce D. Grant

Registration No. 47,608  
(Attorney/Agent)

Telephone (858) 720-7962

Signature

Date July 3, 2002

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#45

PATENT  
Docket No. 396632000623

**CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"**

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Jose Luna

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Howard M. GREY, et al.

Serial No.: 08/349,177

Filing Date: December 2, 1994

For: HLA-A2.1 BINDING PEPTIDES AND  
THEIR USES

Examiner: Ron Schwadron

Group Art Unit: 1644

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**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related applications described below, and, accordingly, copies are not included herewith. This protocol conforms with 37 C.F.R. §1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

07/15/2002 NMOMMM1 00000050 031952 08349177

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This application is a continuation-in-part of U.S. Application No. 08/159,184 filed November 29, 1993, now abandoned; which is a continuation-in-part of U.S. Application No. 08/073,205 filed June 4, 1993, now abandoned; which is a continuation-in-part of U.S. Application No. 08/027,146 filed March 5, 1993, now abandoned; and is related to co-pending U.S. Application No. 08/205,713 filed March 4, 1994.

This application is also related to U.S. Application No. 09/098,584 filed June 17, 1998, now abandoned; U.S. Application No. 09/189,702 filed November 10, 1998; and U.S. Application No. 10/121,415 filed April 11, 2002.

This Information Disclosure Statement is submitted:

- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☒ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \* is enclosed.
  - ☒ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of \* is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 396632000623. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: July 3, 2002

Respectfully submitted,

By: 

Bruce D. Grant  
Registration No. 47,608

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Part of 45

PTO/SB/08 (2-92)

Sheet 1 of 6

<b>Form PTO-1449</b> <b>INFORMATION DISCLOSURE CITATION</b> <b>IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>	Docket Number 399632000623	Application Number 08/349,177
	Applicant Howard M. GREY et al.	
	Filing Date December 2, 1994	Group Art Unit 1644
	Mailing Date July 3, 2002	



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**U.S. PATENT DOCUMENTS**

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Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	08/1994	5,342,774	Boon et al.	435	371	
	2.	04/1993	5,200,320	Sette et al.	435	7.24	
	3.	04/1995	5,405,940	Boon et al.	530	328	
	4.	10/1995	5,462,871	Boon-Falleur et al.	435	354	
	5.	11/1997	5,686,068	Melief et al.	424	93.71	
	6.	05/1998	5,750,395	Fikes et al.	435	325	
	7.	07/1998	5,783,567	Hedley et al.	514	44	
	8.	05/2000	6,063,900	Melief et al.	530	327	

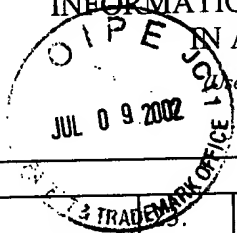
**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO	
	9.	06/1989	EP 0346022	Europe				
	10.	08/1996	EP 0728764	Europe				
	11.	02/1992	WO 92/02543	WIPO				
	12.	11/1992	WO 92/21033	WIPO				
	13.	10/1993	WO 93/20103	WIPO				
	14.	11/1993	WO 93/22338	WIPO				
	15.	02/1994	WO 94/03205	WIPO				
	16.	03/1994	WO94/05304	WIPO				
	17.	05/1994	WO 94/11738	WIPO				
	18.	09/1994	WO 94/20127	WIPO				
	19.	04/1995	WO 95/11255	WIPO				
	20.	08/1995	WO 95/23234	WIPO				
	21.	06/1996	WO 96/18409	WIPO				
	22.	07/1996	WO 96/22067	WIPO				

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**DATE CONSIDERED:**

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Form PTO-1449 <b>INFORMATION DISCLOSURE CITATION</b> <b>IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>				Docket Number 399632000623		Application Number 08/349,177	
				Applicant Howard M. GREY et al.			
				Filing Date December 2, 1994		Group Art Unit 1644	
				Mailing Date July <u>3</u> , 2002			

		02/1997	WO 97/04802	WIPO			<div style="font-size: 2em; font-weight: bold;">RECEIVED</div> <div style="font-size: 1.2em; font-weight: bold;">JUL 16 2002</div> <div style="font-size: 1.2em; font-weight: bold;">TECH CENTER 1600/2900</div>
	24.	08/1997	WO 97/29195	WIPO			
	25.	08/1998	WO 98/33888	WIPO			
	26.	08/1998	WO 98/33999	WIPO			

OTHER DOCUMENTS			(including author, title, Date, Pertinent Pages, Etc.)
Examiner Initials	Ref. No.	Title	
	27.	Alexander et al. "Generation of Tumor-specific Cytolytic T Lymphocytes from Peripheral Blood of Cervical Cancer Patients by In Vitro Stimulation with a Synthetic Human Papillomavirus Type 16 E7 Epitope" Am. J. Obstet. Gynecol. 175:1586-1593 (1996)	
	28.	Bjorkman et al. "Structure of the Human Class I Histocompatibility Antigen HLA-A2" Nature 329:506 (1987)	
	29.	Blok et al. "Sequence Variation at the 3' End of the Neuraminidase Gene from 39 Influenza Typa A Viruses" Virology 121:211-229 (1982)	
	30.	Boon. Tumor Antigens Recognized by Cytolytic T Lymphocytes: Present Perspectives for Specific Immunotherapy" Int. J. Cancer 54:177-180 (1993)	
	31.	Buus et al. "Autologous Peptides Constitutively Occupy the Antigen Binding Site on Ia" Science 242:1045-1047 (1988)	
	32.	Carreno et al. "HLA-B37 and HLA-A2.1 Molecules Bind Largely Nonoverlapping Sets of Peptides" Proc. Natl. Acad. Sci. USA 87:3420-3424 (1990)	
	33.	Celis et al. "Identification of Potential CTL Epitopes of Tumor Associated Antigen MAGE-1 for Five Common HLA-A Alleles" Molec. Immunol. 3:1423-1430 (1994)	
	34.	Celis et al. "Epitope Selection and Development of Peptide Based Vaccines to Treat Cancer" Cancer Biology 6:329-336 (1995)	
	35.	Cotran et al. (ed.) <u>Robbins Pathologic Basis of Disease</u> , 4 <sup>th</sup> ed., W.B. Saunders Co., Philadelphia pp. 296-299 (1989)	
	36.	De Bruijn et al. "Peptide Loading of Empty Major Histocompatibility Complex Molecules on RMA-S Cells Allows the Induction of Primary Cytotoxic T Lymphocyte Responses" Eur. J. Immunol. 21:2963-2970 (1991)	
	37.	DiBrino et al. "Endogenous Peptides Bound to HLA-A3 Possess a Specific Combination of Anchor Residues That Permit Identification of Potential Antigenic Peptides" Proc. Nat'l. Acad. Sci. USA 90:1508-1512 (1993)	
	38.	Edgington. "How Sweet It Is: Selectin-Mediating Drugs" Biotechnology 10:383-389 (1992)	
	39.	Engelhard et al. "Structure of Peptides Associated with MHC Class I Molecules" Curr. Opin. Immunol. 6:13-23 (1994)	

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EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.	

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Sheet 3 of 6

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Form PTO-1449

Docket Number 399632000623

Application Number 08/349,177

Applicant

Howard M. GREY et al.

Filing Date December 2, 1994

Group Art Unit 1644

Mailing Date July 3, 2002

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

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- |     |  |
|-----|--|
| 40. | Falk et al. "Allele-specific Motifs Revealed by Sequencing of Self-peptide Eluted from MHC Molecules" Nature 351:290-296 (1991)  |
| 41. | Feltkamp et al. "Vaccination with Cytotoxic T Lymphocyte Epitope-containing Peptide Protects Against a Tumor Induced by Human Papillomavirus Type 16-transformed Cells" Eur. J. Immunol. 23:2242-2249 (1993)                   |
| 42. | Foon. "Biological Response Modifiers: the New Immunotherapy" Cancer Res. 49:1621-1639 (1989)   |
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| 44. | Gaugler et al. "Human Gene MAGE-3 Codes for an Antigen Recognized on a Melanoma by Autologous Cytolytic T Lymphocytes" J. Exp. Med. 179(3):921-930 (1994)  |
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| 46. | Gnjatic et al. "Mapping and Ranking of Potential Cytotoxic T Epitopes in the P53 Protein: Effect of Mutations and Polymorphism on Peptide Binding to Purified and Refolded HLA Molecules" Eur. J. Immunol. 25:1638-1642 (1995) |
| 47. | Hayashi et al. "Molecular Cloning and Characterization of the Gene Encoding Mouse Melanoma Antigen by cDNA Library Transfection" J. Immunol. 149:1223-1229 (1992)  |
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| 49. | Houbiers et al. "In Vitro Induction of Human Cytotoxic T Lymphocyte Response Against Peptides of Mutant and Wild-type P53" Eur. J. Immunol. 23:2072-2077 (1993)  |
| 50. | Hunt et al. "Characterization of Peptides Bound to the Class I MHC Molecule HLA-A2.1 by Mass Spectrometry" Science 255:1261-1263 (1992)  |
| 51. | Hurtenbach et al. "Prevention of Autoimmune Diabetes in Non-Obese Diabetic Mice by Treatment with a Class II Major Histocompatibility Complex-blocking Peptide" J. Exp. Med. 177:1494-1504 (1993)                              |
| 52. | Jardetzky et al. "Identification of Self Peptides Bound to Purified HLA-B27" Nature 353:326-329 (1991)   |
| 53. | Jiang et al. "Role of CD8* T Cells in Murine Experimental Allergic Encephalomyelitis" Science 256:1213-1215 (1992)   |
| 54. | Kannagi et al. "Target Epitope in the Tax Protein of Human T-Cell Leukemia Virus Type I Recognized by Class I Major Histocompatibility Complex-Restricted Cytotoxic T Cells" J. of Virol. 66(5):2928-2933 (1992)               |
| 55. | Karin et al J. Exp. Med. 180:2227-2237 (1994)  |
| 56. | Keogh et al. "Identification of New Epitopes from Four Different Tumor-Associated Antigens: Recognition of Naturally Processed Epitopes Correlates with HLA-A*0201-Binding Affinity" Journal                                   |

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Sheet 4 of 6

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Form PTO-1449

## INFORMATION DISCLOSURE CITATION IN AN APPLICATION

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Docket Number 399632000623

Application Number 08/349,177

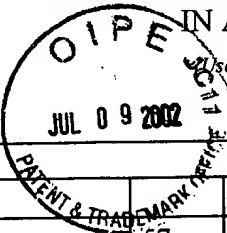
Applicant

Howard M. GREY et al.

Filing Date December 2, 1994

Group Art Unit 1644

Mailing Date July 3, 2002



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|     | of Immunology 167:787-796 (2001)   |
| 57. | Knuth et al. "Cellular and Humoral Immune Responses Against Cancer: Implication for Cancer Vaccines" <i>Curr. Opinion Immunol.</i> 3:659-664 (1991)  |
| 58. | Koh et al. "Less Mortality but More Relapses in Experimental Allergic Encephalomyelitis in CDB <sup>-/-</sup> Mice" <i>Science</i> 256:1210-1213 (1992)  |
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| 62. | Maryanski et al. "Competitor Analogs for Defined T Cell Antigens: Peptides Incorporating a Putative Binding Motif and Polyproline or Polyglycine Spacers" <i>Cell</i> 60:63-72 (1990).   |
| 63. | Melief et al. "T-Cell Immunotherapy of Cancer" <i>Res. Immunol.</i> 142:425-429 (1991)   |
| 64. | Miller et al. "Suppressor T Cells Generated by Oral Tolerization to Myelin Basic Protein to Suppress Both In Vitro and In Vivo Immune Responses by the Release of Transforming Growth Factor $\beta$ After Antigen-specific Triggering" <i>Proc. Nat'l. Acad. Sci. USA</i> 89:421-425 (1992) |
| 65. | Morrison et al. "Identification of the Nonamer Peptide from Influenza A Matrix Protein and the Role of Posckets of HLA-A2 in Its Recognition by Cytotoxic T Lymphocytes" <i>Eur. J. Immunol.</i> 22:903-907 (1992)   |
| 66. | Ochoa-Garay et al. <i>Molecular Immunology</i> 34:273-281 (1997)   |
| 67. | Pamer et al. "Precise Prediction of a Dominant Class I MHC-restricted Epitope of <i>Listeria Monocytogenes</i> " <i>Nature</i> 353:852-855 (1991)  |
| 68. | Parker et al. "Peptide Binding to HLA-A2 and HLA-B27 Isolated from <i>Escherichia coli</i> " <i>J. Biol. Chem.</i> 267(8):5451-5459 (1992)   |
| 69. | Parker et al. "Sequence Motifs Important for Peptide Binding to the Human MHC Class I Molecule, HLA-A2" <i>J. Immunol.</i> 149:3580-3587 (1992)  |
| 70. | Parker et al. "Scheme for Ranking Potential HLA-A2 Binding Peptides Based on Independent Binding of Individual Peptide Side-Chains" <i>Journal of Immunology</i> 152(1):163-175 (1994)   |
| 71. | Paul (ed.), <i>Fundamental Immunology</i> , 2 <sup>nd</sup> ed., Raven Press, NY, pp. 473-487 (1989)   |
| 72. | Paul (ed.), <i>Fundamental Immunology</i> , 3 <sup>rd</sup> ed., Raven Press, NY, pp. 976-978 (1993)   |
| 73. | Petersen et al. "Identification and Design of p53-Derived HLA-A2-Binding Peptides with Increased CTL Immunogenicity" <i>Scandinavian Journal of Immunology</i> 53:357-364 (2001)   |
| 74. | Preisler-Adams et al. "Complete Nucleotide Sequence of a Hepatitis B Virus, Subtype adw2, and Identification of Three Types of C Open Reading Frames" <i>Nucleic Acids Res.</i> 21:2258 (1993)   |
| 75. | Rammensee et al. "Peptides Naturally Presented by MHC Class I Molecules" <i>Annu. Rev. Immunol.</i>  |

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**INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION**

(Use several sheets if necessary)

Docket Number 399632000623

Application Number 08/349,177

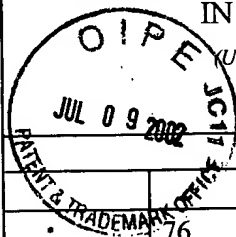
Applicant

Howard M. GREY et al.

Filing Date December 2, 1994

Group Art Unit 1644

Mailing Date July 3, 2002



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Sheet 6 of 6

Form PTO-1449	<b>TECH CENTER 1600/2900</b>	Docket Number 399632000623	Application Number 08/349,177
<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>		Applicant Howard M. GREY et al.	
		Filing Date December 2, 1994	Group Art Unit 1644
		Mailing Date July 3, 2002	

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